

## DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 2718

4 November 2022

## CAPE VULTURES

## PROTOCOL FOR THE SPECIALIST ASSESSMENT AND MINIMUM REPORT CONTENT REQUIREMENTS FOR ENVIRONMENTAL IMPACTS ON CAPE VULTURES BY ONSHORE WIND ENERGY GENERATION FACILITIES

## 1. SCOPE

This protocol provides the criteria for the specialist assessment and minimum report content requirements for determining impacts on Cape Vultures associated with the development of onshore wind energy generation facilities, which require environmental authorisation. This protocol must be read with either the avifaunal<sup>1</sup> or animal species protocol<sup>2</sup>, whichever is applicable to the specific application under consideration.

The assessment and reporting requirements of this protocol are associated with a collision risk potential identified by the national web based environmental screening tool (screening tool) for Cape Vultures. The relevant data in the screening tool has been provided by the FitzPatrick Institute of African Ornithology of the University of Cape Town. The protocol applies within and outside of the Renewable Energy Development Zones (REDZs)<sup>3</sup>.

## 2. SITE SENSITIVITY VERIFICATION AND MINIMUM REPORT CONTENT REQUIREMENTS

Prior to commencing with the Cape Vulture specialist assessment, the collision risk potential for Cape Vultures of the preferred site as identified by the screening tool must be confirmed by undertaking a **site sensitivity verification** for a period of at least 12 months which must include the pre-breeding season (late March to early May) and the breeding season (May to December).

- 2.1. The site sensitivity verification must be undertaken by a specialist registered in the field of zoological science with the South African Council for Natural Scientific Professions (SACNASP) with demonstrated expertise in Cape Vulture observation and research.
- 2.2. The site sensitivity verification must be undertaken through the use of:
  - (a) site inspections to-
    - i. identify the land use on surrounding erven with specific reference to the possible location of vulture restaurants or land uses which could result in carcass availability;
    - ii. identify any specific topographical features on the site which could attract or pose a risk to Cape Vultures including existing and planned powerlines within a 5km radius of the site;
    - iii. continuously monitor wind speed and other weather data that could influence Cape Vulture activity on the site throughout the initial site verification period;
  - (b) vantage point monitoring<sup>4</sup> by two people at the same time for a duration of at least 72 hours per vantage point for the 12 months. Vantage point monitoring is to determine the level of Cape Vulture flight activity on the site and the height of flight;
  - (c) consultation with relevant non-governmental organisations with an interest in Cape Vulture protection including BirdLife South Africa, VulPro and the Endangered Wildlife Trust; and
  - (d) any other available and relevant information.
- 2.3. The outcome of the site sensitivity verification must be recorded in the form of a report that:

<sup>1</sup> Government Notice No. 320 published under Government Gazette No. 43110 of 20 March 2020

<sup>2</sup> Government Notice No. 1150 published under Government Gazette No. 43855 of 30 October 2020

<sup>3</sup> Renewable Energy Development Zones as published under Government Notice No. 114, Gazette No. 41445 on 16 February 2018.

<sup>4</sup> Vantage point monitoring is to be undertaken in accordance to the method as identified in the latest version of the BirdLife South Africa Guideline for impact assessment, monitoring and mitigation.

- (a) confirms or disputes the environmental sensitivity as identified by the screening tool (Cape Vulture risk layer);
- (b) contains a motivation, corroborated by evidence (e.g. monitoring data) and input from BirdLife Africa, of either the verified or different environmental sensitivity; and
- (c) where the site sensitivity verification has confirmed the site as being of a “medium” or “low” sensitivity for collision risk to Cape Vultures, the site sensitivity verification report and the Compliance Statement must be included in the avian specialist study which is to be submitted together with the relevant assessment report prepared in accordance with the requirements of the Environmental Impact Assessment Regulations.

### 3. SPECIALIST ASSESSMENT AND MINIMUM REPORT CONTENT REQUIREMENTS

<b>TABLE 1: ASSESSMENT AND REPORTING OF IMPACTS ON CAPE VULTURES FOR ONSHORE WIND ENERGY GENERATION FACILITIES</b>	
<p>1. General Information</p> <p>1.1 An applicant intending to undertake an activity identified in the scope of this protocol on a site identified by the screening tool and verified by the site sensitivity verification report as being of “very high” or “high” sensitivity for the potential collision of Cape Vultures with wind turbines, must submit a Cape Vulture Specialist Assessment unless the information gathered from undertaking the site sensitivity verification confirms that the occurrence of Cape Vultures on the site is “medium” or “low<sup>5</sup>”, in which case a Compliance Statement must be prepared.</p> <p>1.2 If any part of the proposed development footprint falls within an area of “very high” or “high” sensitivity, the assessment and reporting requirements prescribed for the “very high” or “high” sensitivity apply to the entire development footprint.</p>	
<p><b>VERY HIGH AND HIGH SENSITIVITY RATING</b> – areas where there is a very high probability of encountering Cape Vultures and where there is high risk of population-level impacts from the loss of Cape Vulture individuals.</p> <p>These areas are potentially unsuitable for wind energy development.</p>	<p><b>2. Cape Vulture Specialist Assessment</b></p> <p>2.1. The assessment must be undertaken by a specialist registered in the field of zoological science with SACNASP with demonstrated expertise in Cape Vulture observation and research.</p> <p>2.2. The following information or data (in addition to that collected as part of the site sensitivity verification) must be collected to inform the assessment:</p> <p>2.2.1. Wind energy developments for which environmental authorisation have been granted within a 30km radius<sup>6</sup>, including their location and GPS coordinates;</p> <p>2.2.2. any power line that poses an electrocution risk due to its design, or a collision risk due to the absence of bird flight diverters or any wind measurement masts within a 30km radius of the preferred site;</p> <p>2.2.3. data from an additional<sup>7</sup> twelve months of Cape Vulture monitoring, focusing on the collection of additional flight activity through the preferred site, flight direction, behaviour, and specific data necessary to populate a collision risk model;</p>

<sup>5</sup> Low in the context of a potential collision risk of a Cape Vulture with a wind turbine means that the level of Cape Vulture flight activity over the site is low and where Cape Vultures are identified the height is consistently observed exceeding the tip of the turbine blade and no behaviour that would bring the Cape Vulture into contact with the wind turbine blades is observed throughout the yearlong observation.

<sup>6</sup> This information can be obtained from the screening tool but will need to be verified by Eskom or discussions with landowners.

<sup>7</sup> Additional monitoring from the monitoring that was undertaken as part of the site sensitivity verification.

	<p>2.2.4. radar confirmed heights of Cape Vulture activity and flight activity records for early evening and morning when visibility is poor;</p> <p>2.2.5. the size and status of known colonies and roosts within a 50km radius of the preferred site;</p> <p>2.2.6. the location of possible roosts and colonies within a 5km radius<sup>8</sup> of the preferred site; and</p> <p>2.2.7. land use with specific reference to the possible location of vulture restaurants or land uses which could result in carcass availability within a 30km radius of the preferred site.</p> <p>2.3. The spatial information is to be represented on a map which includes the following:</p> <p>2.3.1. topographical features;</p> <p>2.3.2. location of vantage point monitoring locations;</p> <p>2.3.3. locations of existing wind energy developments or wind energy developments for which environmental authorisation have been granted but not constructed;</p> <p>2.3.4. the location of existing power lines indicating any risk areas and proposed power lines as identified in paragraph 2.2.2;</p> <p>2.3.5. location of roosts or colonies as well as potential roosts and colonies,</p> <p>2.3.6. the flights recorded over the site; and</p> <p>2.3.7. location of vulture restaurants and land uses which could result in the availability of carcasses.</p> <p>2.4. The monitoring data is to be tabulated and included in a spreadsheet using a template consistent with that envisaged by the national bird monitoring database.</p> <p>2.5. The monitoring data must be uploaded to the database once operational.</p> <p>2.6. The monitoring data must include as a minimum the following information:</p> <p>2.6.1. GPS coordinates of vantage point monitoring sites; and</p> <p>2.6.2. flights, including direction, height, date, time, wind speed, weather conditions and behaviour.</p> <p>2.7. The Cape Vulture Specialist Assessment must be undertaken on the preferred site and must identify and predict the following:</p> <p>2.7.1. high risk areas on the site for potential collision risks;</p> <p>2.7.2. the collision risk potential determined through the application of a collision risk model to predict an annual fatality rate;</p> <p>2.7.3. the possible cumulative impact on the regional Cape Vulture population from the various wind energy developments within the 30km radius of the preferred site, based on the cumulative fatality rate and fatalities through power line electrocution or collision;</p> <p>2.7.4. the possible impact of the predicted fatality rate on the regional Cape Vulture population and that impact on the national population; and</p> <p>2.7.5. areas not suitable for development based on the risk of impacts on Cape Vultures.</p>
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<sup>8</sup> This information can be collected through desk top analysis, consultation with local bird associations, BirdLife South Africa, Vulpro and the Endangered Wildlife Trust.

	<p>2.8. The findings of the Cape Vulture Specialist Assessment must be written up in a <b>Cape Vulture Specialist Assessment Report</b> that contains as a minimum the following information:</p> <p>2.8.1. A copy of the SACNASP registration certificate of the zoological scientist who prepared the assessment and a curriculum vitae demonstrating experience in Cape Vultures;</p> <p>2.8.2. details including contact details of the zoological scientist;</p> <p>2.8.3. a signed statement of independence by the specialist;</p> <p>2.8.4. the duration, date and seasons of the assessment and the relevance of the season to the outcome of the assessment;</p> <p>2.8.5. a summary of the findings of the site sensitivity verification report;</p> <p>2.8.6. a description of the methodology used to undertake the data generation and assessment inclusive of the equipment and models used, as relevant;</p> <p>2.8.7. a summary of the findings of the Cape Vulture monitoring;</p> <p>2.8.8. a map showing the information required in paragraph 2.3 superimposed over the high-risk collision areas and areas not suitable for development as identified in paragraph 2.7.5;</p> <p>2.8.9. a summary of the findings of the Cape Vulture specialist assessment;</p> <p>2.8.10. an indication of the potential annual fatality rate, as well as the cumulative annual fatality rate;</p> <p>2.8.11. the assessed impact of the predicted fatality rate on the regional Cape Vulture population as well as the anticipated impact on the national population;</p> <p>2.8.12. a substantiated statement from the specialist with regards to the acceptability or not of the proposed development on the Cape Vulture population and a recommendation on the approval or not of the proposed development;</p> <p>2.8.13. a description of the assumptions made and any uncertainties or gaps in knowledge or data; and</p> <p>2.8.14. any conditions to which this statement is subjected.</p> <p>2.9. The zoological scientist must recommend conditions to be included in the environmental authorisation which must include as a minimum the following:</p> <p>2.9.1. mitigation measures to be included in the environmental authorisation which could include curtailment and shut down on demand options and/or carcass and food availability management plans;</p> <p>2.9.2. the initiation date for the start of the post-construction monitoring plan;</p> <p>2.9.3. the approval of the development is subject to adaptive management which could include the inclusion or amendment of curtailment and shut down measures as well as the need to include radar shut down should monitoring identify unanticipated and unacceptable fatality rates; and</p> <p>2.9.4. the intervals for the submission of the post-construction monitoring report.</p> <p>2.10. A summary of the findings of the <b>Cape Vulture Specialist Assessment</b> as well as the proposed conditions to be included in the environmental authorisation must be incorporated into the avian specialist study to be included in the Basic Assessment Report or the Environmental Impact Assessment Report.</p>
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	<p>2.11. A signed copy of the Site Sensitivity Verification Report and the Cape Vulture Specialist Assessment must be appended to the Basic Assessment Report or Environmental Impact Assessment Report.</p> <p>2.12. A <b>Cape Vulture post-construction monitoring plan</b> is to be provided as part of the Cape Vulture Specialist Assessment Report. This plan must include as a minimum the following information:</p> <p>2.12.1. timeframes and intervals for monitoring both wind turbines and power lines on and off the preferred site where risks were identified;</p> <p>2.12.2. the locations to be monitored including GPS points (this will relate to wind turbines once the final turbine placement plan is approved);</p> <p>2.12.3. methodology for searcher efficiency and scavenger removal;</p> <p>2.12.4. methods for monitoring (i.e., transects or radial) as well as the extent of the monitoring area;</p> <p>2.12.5. the years and intervals for the duration of post-construction monitoring must be identified; and</p> <p>2.12.6. monitoring must include power lines on the preferred site and any high-risk power lines identified in paragraph 2.2.2.</p> <p>2.13. The findings of the post-construction monitoring must be submitted to the relevant competent authority and relevant conservation organisations at intervals identified in paragraph 2.9.4 and must include as a minimum the following information:</p> <p>2.13.1. A copy of the SACNASP registration certificate of the zoological scientist who prepared the monitoring report and a curriculum vitae demonstrating experience in Cape Vultures;</p> <p>2.13.2. a signed statement of independence by the specialist;</p> <p>2.13.3. the duration, date and seasons of the monitoring;</p> <p>2.13.4. a summary of the findings of the monitoring;</p> <p>2.13.5. a description of the methodology used, indicating where the methodology was amended from that identified in paragraphs 2.12.3 and 2.12.4;</p> <p>2.13.6. a map indicating where carcasses of Cape Vultures were found, where relevant;</p> <p>2.13.7. an indication of the cause of death;</p> <p>2.13.8. verification of expected fatality rates compared against post-development prediction; and</p> <p>2.13.9. a statement on the correlation between the expected fatality rate and the findings of the monitoring, including any amendments that must be made to the layout or curtailment times.</p> <p>2.14. The data related to the post-construction monitoring must be uploaded to the national bird monitoring database throughout the period of post construction monitoring, once the system is operational.</p>
<p><b>MEDIUM AND LOW SENSITIVITY RATING</b> - are areas where there is a low probability of encountering vultures and a low risk of vulture fatalities.</p>	<p><b>3. Cape Vulture Compliance Statement</b></p> <p>3.1. The <b>Cape Vulture Compliance Statement</b> must be prepared by a specialist registered in the field of zoological science with the SACNASP with demonstrated expertise in Cape Vulture observation and research.</p> <p>3.2. The compliance statement must:</p> <p>3.2.1. be applicable to the preferred site and proposed development footprint;</p>

	<p>3.2.2. confirm that preferred the site is of “low” or “medium” sensitivity for impacts to Cape Vultures; and</p> <p>3.2.3. indicate whether or not the proposed development will have an unacceptable impact on the Cape Vultures.</p> <p>3.3. The <b>Cape Vulture Compliance Statement</b> must contain, as a minimum, the following information:</p> <p>3.3.1. details including contact details and relevant expertise as well as the SACNASP registration certificate of the zoological scientist preparing the statement, including a curriculum vitae;</p> <p>3.3.2. a signed statement of independence by the specialist;</p> <p>3.3.3. a map showing the proposed development footprint, overlaid on the Cape Vulture risk map generated by the screening tool;</p> <p>3.3.4. confirmation from the zoological scientist that all reasonable measures have been taken through micro-siting to avoid impacts on Cape Vultures;</p> <p>3.3.5. a substantiated statement from the zoological scientist on the acceptability, or not, of the proposed development and a recommendation on the approval, or not, of the proposed development;</p> <p>3.3.6. any conditions to which this statement is subjected;</p> <p>3.3.7. where required, proposed impact management actions and outcomes or any monitoring requirements for inclusion in the EMPr; and</p> <p>3.3.8. a description of the assumptions made and any uncertainties or gaps in knowledge or data.</p> <p>3.4. A summary of the findings of the compliance statement must be included with the avian specialist study which is to be submitted as part of the Basic Assessment Report or Environmental Impact Assessment Report.</p> <p>3.5. A signed copy of the compliance statement must be appended to the Basic Assessment Report or Environmental Impact Assessment Report.</p> <p>3.6. A <b>Cape Vulture post-construction monitoring plan</b> is to be provided as part of the Cape Vulture Compliance Statement. This plan must include as a minimum the following information:</p> <p>3.6.1. timeframes and intervals for monitoring both the wind turbines and power lines on site and off site where specific risks were identified;</p> <p>3.6.2. the locations to be monitored, including GPS points (this will relate to wind turbines once the final turbine placement plan is approved);</p> <p>3.6.3. methodology for searcher efficiency and scavenger removal;</p> <p>3.6.4. methods for monitoring (i.e., transects or radial) as well as the extent of the monitoring area;</p> <p>3.6.5. the years and intervals for the duration of post construction monitoring must be identified; and</p> <p>3.6.6. monitoring must include power lines on the preferred site.</p> <p>3.7. The findings of the post-construction monitoring must be submitted to the relevant competent authority and relevant conservation organisations at intervals identified in 3.6.1 and must include as a minimum the following information:</p> <p>3.7.1. A copy of the SACNASP registration certificate of the zoological scientist who prepared the monitoring report and a curriculum vitae demonstrating experience in Cape Vultures;</p>
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	<p>3.7.2. a signed statement of independence by the specialist;</p> <p>3.7.3. the duration, date and seasons of the monitoring;</p> <p>3.7.4. a summary of the findings of the monitoring;</p> <p>3.7.5. a description of the methodology used;</p> <p>3.7.6. a map indicating where carcasses of Cape Vultures were found where relevant;</p> <p>3.7.7. an indication of the cause of death; and</p> <p>3.7.8. should a fatality of a Cape Vulture be identified through monitoring the specialist is to make recommendations for mitigation measures or additional monitoring for discussion with BirdLife Africa and the competent authority within 3 months of the monitoring event.</p> <p>3.8. The data related to the post-construction monitoring must be uploaded to the national bird monitoring database throughout the period of post-construction monitoring once the system is operational.</p>
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## DEPARTMENT OF PUBLIC SERVICE AND ADMINISTRATION

NO. 2719

4 November 2022

**OFFICE OF STANDARDS AND COMPLIANCE REGULATIONS, 2022**

The Acting Minister for the Public Service and Administration has, under section 18 of the Public Administration Management Act, 2014, made the Regulations set out in the Schedule.



MR TW NXESI, MP

ACTING MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION

DATE: 07/10/2022



**SCHEDULE**

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## 1. Definitions

- (1) In these Regulations, unless the context indicates otherwise, a word or expression to which a meaning has been assigned in the Act, has the same meaning, and–

**“Act”** means the Public Administration Management Act, 2014 (Act No. 11 of 2014);

**“head of institution”** means–

- (a) in the case of a national or provincial department or a national or provincial government component, the incumbent of a post mentioned in section 7(2) read with Column 2 of Schedule 1, 2 or 3 of the Public Service Act, 1994 (Proclamation No. 103 of 1994) and includes any employee acting in that post; or
- (b) in the case of a municipality, the municipal manager appointed in terms of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) and includes any employee acting in that post;

**“head of Office”** means the person referred to in section 17(3) of the Act;

**“member”** means an employee appointed in terms of the Public Service Act, 1994 (Proclamation No. 103 of 1994) and designated by the Minister to exercise the powers of members as prescribed under section 17(7) of the Act;

**“minimum norms and standards”** means the minimum norms and standards referred to section 16 of the Act;

**“Office”** means the Office of Standards and Compliance established by section 17(1) of the Act; and

**“public administration norms and standards”** means those public norms and standards determined in terms of legislation other than those prescribed in terms of the Act.

## 2. Powers and functions of head of Office

### (1) The functions of the head of Office are-

#### (a) to advise the Minister on-

- (i) the determination of minimum norms and standards;
- (ii) the enforcing of compliance with minimum norms and standards;  
and
- (iii) establishing frameworks, structures and processes for the setting of minimum norms and standards from regulatory norms;

#### (b) to assess the appropriateness of-

- (i) minimum norms and standards; and
- (ii) public administration norms and standards;

#### (c) to ensure that the Office promotes, monitors and takes the necessary steps to secure compliance with-

- (i) minimum norms and standards; and
- (ii) public administration norms and standards;

#### (d) in order to give effect to paragraph (f) to develop and implement-

- (i) an early warning system to detect public administration non-compliance and;
- (ii) a monitoring framework for data governance including a format for monitoring reports;

#### (e) to ensure that the Office performs its other functions in terms of section 17(4) and (6) of the Act; and

#### (f) to report in terms of section 17(4)(f) and (6)(d) of the Act-

- (i) on the performance of the Office's functions at least once a quarter;

- (ii) annually, together with a report referred to in subparagraph (i) on the effectiveness of the minimum norms and standards or any other matter related to the Office's functions ;and
  - (iii) as directed by the Minister, on the progress made in any investigation and finalisation of matters brought before the Office, or any other matter referred to subparagraph (ii).
- (2) For the purposes of a report referred to sub-regulation (1)(f)(ii) and (iii), the report must include details on the failure to-
  - (a) comply with compliance orders issued under regulation 4(4);
  - (b) mitigate non-compliance; and
  - (c) conduct self-diagnostic assessments on capacity and functionality audits.
- (3) In order to perform the functions and fulfil the objects of the Office, the head of Office may -
  - (a) do whatever is reasonably necessary to perform the functions of the Office; and
  - (b) delegate any of the head of Office's functions to a member.
- (4) Any member to whom a function has been delegated under this regulation must exercise that function subject to the conditions that the head of Office considers appropriate.
- (5) Any delegation of a function in terms of this regulation-
  - (a) must be in writing;
  - (b) does not prevent the head of Office from exercising that function or performing that power; and
  - (c) may at any time be withdrawn in writing by the head of Office.

### 3. Access to premises, vehicles, documents and employees

- (1) In the performance of its functions under the Act and these regulations, a head of institution must cooperate with the Office in terms of section 17(5) of the Act by-
  - (a) giving the Office full and unrestricted access at all reasonable times to—
    - (i) any document, book or written or electronic record or information of the institution relevant to the audit of the norm and standard being monitored; or
    - (ii) any employee of the institution that the Office seeks to interview for the purpose of monitoring or auditing the institution; and
  - (b) facilitating the Office's exercise of the powers under sub-regulation (2).
- (2) The Office may, in the performance of its functions under the Act and these Regulations—
  - (a) Subject to the approval of the relevant executive authority, enter any property, premises or vehicle of or under the control of the institution-
    - (i) where a document, book or written or electronic record or information referred to in sub-regulation (1)(a)(i) are kept; or
    - (ii) to interview an employee referred to in sub-regulation (1)(a)(ii);
  - (b) direct a person to produce, or to deliver, at a specified place and time and in a specified format, any such document, book or written or electronic record or information; or
  - (c) inspect, and question any person about, any such document, book or written or electronic record or information;
  - (d) copy, or make extracts from, any such document, book or written or electronic record or information, at the expense of the institution, or

remove such document, book, record or written or electronic information to make copies or extracts;

- (e) direct a person to disclose, either orally or in writing, any information that may be relevant for the conduct of the audit or the monitoring of the minimum norms and standards; or
- (f) direct—
  - (i) a person to disclose information or to give answers to questions in terms of this subsection in writing or under oath or affirmation; or
  - (ii) that any such information or answers be recorded.

#### **4. Compliance**

- (1) After having monitored compliance or conducted a capacity or functional audit in an institution, the Office must report to the Minister and the head of institution, which may include directions on the steps to be taken by the head of institution to comply or to build capacity.
- (2) The directions may include-
  - (a) time periods within which the corrective steps must be taken;
  - (b) time periods within which the head of institution must report on the steps taken and, if not, the reasons for not doing so;
- (3) If the directions are not implemented, the Office must investigate the reasons for the failure to implement its direction and submit a report to the executive authority and the head of institution, which report may include an enforcement response plan.
- (4) If the institution does not comply with an enforcement response plan referred to in sub-regulation (3), the Office may issue a compliance order.
- (5) If the institution fails to comply with the compliance order, the Office may submit a report to-
  - (a) the Minister;

- (b) the relevant executive authority;
- (c) the Minister responsible for local government and the relevant Member of Executive Council responsible for local government; or
- (d) the Public Service Commission in respect of the public service.

#### **5. Short title and commencement**

These Regulations are called the Office of Standards and Compliance Regulations, 2022, and commence on the date of publication thereof in the *Government Gazette*.

**KITSISO YA PUSO**  
**LEFAPHA LA BODIREDIPUSO LE TSAMAISO**

**NMR. R.**

**2022**

**MELAWANATAOLO YA KANTORO YA MAEMO LE KOBAMELO, 2022**

Tona ya nama-o-sa-tshwere ya Bodiredipuso le Tsamaiso e dirile, ka fa tlase ga karolo 18 ya *Public Administration Management Act, 2014*, Melawanataolo e e tlhagisitsweng mo Šejuleng.

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**RRE TW NXESI, TP**

**TONA YA NAMA-O-SA-TSHWERE YA BODIREDIPUSO LE TSAMAISO**  
**LETLHA:**



## ŠEJULE

### LENANE LA DITENG

1. Dithaloso
2. Dithata le Ditiro tsa Kantorokgolo
3. Phitlhelelo ya mafelo, dijanaga, dikwalo le badiri
4. Kobamelo
5. Setlhogo se se Khutshwane le Tshimololo

## 1. Dithaloso

- (1) Mo Melawanataolong eno, ntle le fa bokao bo kaya ka mokgwa osele, lefoko kgotsa tlhagiso e e neilweng bokao mo Molaong, e na le bokao jo bo tshwanang, e bile–

“**Molao**” o kaya *Public Administration Management Act, 2014* (Molao 11 wa 2014);

“**tlhogo ya setheo**” e kaya-

- (a) mo lebakeng la lefapha la bosetšhaba kgotsa la porofense, motho yo o mo tirono e e umakilweng mo karolong 7(2) ka puisommogo le Kholomo 2 ya Šejule 1, 2 kgotsa 3 ya *Public Service Act, 1994*

(Kgoeletso 103 ya 1994) le go akaretsa modiri mongwe le mongwe yo o tshwereng nakwana mo phatlhatirong eo; kgotsa

- (b) mo lebakeng la mmasepala, molaodi wa mmasepala yo o thapilweng go ya ka *Local Government: Municipal Systems Act, 2000* (Molao 32 wa 2000) le go akaretsa modiri ofe yo o tshwereng nakwana mo phatlhatirong eo;

“**tlhogo ya Kantoro**” e kaya motho yo o umakilweng mo karolong 17(3) ya Molao;

“**tokololo**” e kaya modiri yo o thapilweng go ya ka *Public Service Act, 1994* (Kgoeletso 103 ya 1994) le go tlhongwa ke Tona diragatsa dithata tsa ditokololo jaaka di tlhagisitswe ka fa tlase ga karolo 17(7) ya Molao;

“**bonnye jwa ditlwaelo le maemo**” bo kaya bonnye jwa ditlwaelo le maemo jo bo umakilweng mo karolong 16 ya Molao;

“**Kantor**” e kaya Kantor ya Maemo le Kobamelo e e tlhomilweng ka karolo 17(1) ya Molao; le

“**ditlwaelo le maemo tsa tsamaiso ya tirelopuso**” di kaya ditlwaelo le maemo ao a tirelopuso a a tlhomamisitsweng go ya ka molao o mongwe o o beilweng go ya ka Molao.

**2. Dithata le ditiro tsa tlhogo ya Kantoro****(1) Ditiro tsa tlhogo ya Kantoro ke-**

- (a) go gakolola Tona mabapi le-
  - (i) tlhomamiso ya bonnye jwa ditlwaelo le maemo;
  - (ii) go gatelelwa ga kobamelo ya bonnye jwa ditlwaelo le maemo; le
  - (iii) go tlhongwa ga matlhomeso, dithulaganyo le ditsamaiso tsa go dirwa ga bonnye jwa ditlwaelo le maemo go tswa mo ditlwaelong tsa taolo;
- (b) go sekaseka tshiamo ya-
  - (i) bonnye jwa ditlwaelo le maemo; le
  - (ii) ditlwaelo le maemo tsa tsamaiso ya tirelopuso;
- (c) go netefatsa gore Kantoro e tswelletsa pele, e baya leitlho le go tsaya dikgato tse di maleba go sireletsa kobamelo ya-
  - (i) bonnye jwa ditlwaelo le maemo; le
  - (ii) ditlwaelo le maemo tsa tsamaiso ya tirelopuso;
- (d) gore go tsenngwe mo tirisong temana (f) go tlangwa le go tsenngwa mo tirisong ga-
  - (i) thulaganyotsibosogale go dupelela go sa obamelweng ga tsamaiso ya tirelopuso; le
  - (ii) letlhomeso la peoleitlho mabapi le deitha ya puso go akaretsa le tsela ya go baya dipegelo leitlho;
- (e) go netefatsa gore Kantoro e dira ditiro tse dingwe tsa yona go ya ka karolo 17(4) le (6) ya Molao; le
- (f) go bega go ya ka karolo 17(4)(f) le (6)(d) ya Molao-

- (i) mabapi le tiragatso ya ditiro tsa Kantoro bonnye gangwe mo kotareng;
  - (ii) ka ngwaga, mmogo le pegelo e e umakilweng mo temanatlaleletsong (i) ka ga nonofo ya bonnye jwa ditlwaelo le maemo kgotsa ka ga morero mongwe le mongwe ofe o o amanang le ditiro tsa Kantoro; le
  - (iii) jaaka Tona a laetse, ka ga tswelelopele e e dirilweng mo dipatlisisong dife le go konotelwa ga merero e e lerilweng fa pele ga Kantoro, kgotsa morero mongwe le mongwe ofe o o umakilweng mo temanatlaleletsong (ii).
- (2) Mabapi le maitlhommo a pegelo e e umakilweng mo molawanataolotlaleletsong (1)(f)(ii) le (iii), pegelo e tshwanetse go akaretsa dintlha tse di ka ga go retelwa mabapi le-
- (a) ditaello tsa kobamelo tse di rebotsweng ka fa tlase ga molawanataolo 4(4);
  - (b) phediso ya botlhokakobamelo; le
  - (c) go dirwa ga ditshekatsheko tsa boitekotupo mabapi le boruni jwa bokgoni le tiro.
- (3) Gore go dirwe ditiro le go fitlhelela maitlhommo a Kantoro, tlhogo ya Kantoro o ka-
- (a) dira sengwe le sengwe se se tlhokegang go dira ditiro tsa Kantoro; le
  - (b) rolela efe ya ditiro tsa tlhogo ya Kantoro go tokololo efe.
- (4) Tokololo nngwe le nngwe e e roletsweng tiro ka fa tlase ga molawanataolo ono e tshwanetse go dira tiro eo go ya ka dipeelo tse tlhogo ya Kantoro a di bonang di le maleba.
- (5) Tholelo nngwe le nngwe ya tiro go ya ka molawanataolo eno-
- (a) e tshwanetse go kwalwa;

- (b) ga e thibele tlhogo ya Kantoro go dira tiro kgotsa thata eo; e bile
- (c) e ka gogelwa morago ke tlhogo ya Kantoro nako nngwe le nngwe ka go kwala.

**3. Phitlhelelo ya mafelo, dijanaga, dikwalo le badiri**

- (1) Mo go direng ditiro tsa yona ka fa tlase ga Molao le melawanataolo eno, tlhogo ya setheo o tshwanetse go dirisana mmogo le Kantoro go ya ka karolo 17(5) ya Molao ka-
  - (a) go letla Kantoro go fitlhelela ntle le kganelo epe ka dinako tse di maleba—
    - (i) lokwalo, buka kgotsa rekoto ya seileketeroniki kgotsa tshedimosetso ya setheo e e maleba mo boruning jwa ditlwaelo le maemo jo bo beilweng leitlho; kgotsa
    - (ii) modiri mongwe le mongwe wa setheo se Kantoro e batlang go se botsolotsa mabapi le maitlhommo a peoleitlho kgotsa boruni jwa setheo; le
  - (b) go nolofatsa tiragatso ya dithata ka fa tlase ga molawanataolotlaleletso (2).
- (2) Kantoro e ka, mo go direng ditiro tsa yona ka fa tlase ga Molao le Melawanataolo eno—
  - (a) Go latela thebolo ya bolaodikhuduthamaga jo bo maleba, tsena mo meagong, mafelong kgotsa mo sejanageng sa kgotsa se se ka fa tlase ga taolo ya setheo-
    - (i) se lokwalo, buka kgotsa rekoto e e kwetsweng kgotsa ya seileketeroniki kgotsa tshedimosetso e e umakilweng mo molawanataolotlaleletsong (1)(a)(i) e bewang teng; kgotsa
    - (ii) go botsolotsa modiri yo o umakilweng mo molawanataolotlaleletsong (1)(a)(ii);

- (b) laela motho go tlhagisa, kgotsa go isa, kwa lefelong le ka nako e e tsepamisitsweng le ka tsela e e tsepamisitsweng, mofuta ofe oo wa lokwalo, buka kgotsa rekoto e e kwetsweng kgotsa ya seileketeroniki kgotsa tshedimose tso; kgotsa
- (c) tlhatlhoba, le go botsolotsa motho ofe ka ga, mofuta ofe oo wa lokwalo, buka kgotsa rekoto e e kwetsweng kgotsa ya seileketeroniki kgotsa tshedimose tso;
- (d) gatisa, kgotsa go tlosa mo, mofuteng ofe oo wa lokwalo, buka kgotsa rekoto e e kwetsweng kgotsa ya seileketeroniki kgotsa tshedimose tso, ka ditshenyegelo tsa setheo, kgotsa go tlosa lokwalo leo, buka, rekoto kgotsa tshedimose tso e e kwetsweng kgotsa ya seileketeroniki go dira dikhopi kgotsa dimametlelelo;
- (e) laela motho go senola, ka molomo kgotsa ka go kwala, tshedimose tso efe e e ka tswang e le maleba mabapi le go dirwa ga boruni kgotsa go bewa leitlho ga bonnye jwa ditlwaelo le maemo; kgotsa
- (f) laela—
  - (i) motho go senola tshedimose tso kgotsa go araba dipotso go ya ka karotlaleletso eno ka go kwala kgotsa ka fa tlase ga maikano le netefatso; kgotsa
  - (ii) gore tshedimose tso eo ya mofuta oo kgotsa dikarabo di gatiswe.

#### 4. Kobamelo

- (1) Morago ga peoleitlho ya kobamelo kgotsa go dirwa ga boruni jwa bokgoni kgotsa tiro kwa setheong, Kantoro e tshwanetse go naya Tona le tlhogo ya setheo pegelo, eo e ka akaretsang ditaelo mabapi le dikgato tse di tla tsewang ke tlhogo ya setheo go obamela kgotsa go maatlafatsa bokgoni.
- (2) Ditaelo di ka akaretsa-
  - (a) dipaka tsa nako tse ka tsona dikgato tsa paakanyo di tshwanetseng go tsewa;

- (b) dipaka tsa nako tse ka tsona tlhogo ya setheo e tshwanetseng go bega ka dikgato tse di tserweng le, fa di sa tsewa, mabaka a go se direng jalo;
- (3) Fa ditaelo di sa tsenngwa mo tirong, Kantoro e tshwanetse go batlisisa mabaka a go retelwa ke go tsenya ditaelo mo tirisong le go romelela bolaodikhuduthamaga le tlhogo ya setheo pegelo, eo e ka akaretsang leanotsibogelo la kgatelelo.
- (4) Fa setheo se sa obamele leanotsibogelo la kgatelelo le le umakilweng mo molawanataolotlaleletsong (3), Kantoro e ka rebola taelo ya kobamelo.
- (5) Fa setheo se retelwa ke go obamela taelo ya kobamelo, Kantoro e romela pegelo go-
  - (a) Tona;
  - (b) bolaodikhuduthamaga jo bo maleba;
  - (c) Tona e e rwalang maikarabelo a pusoselegae le Tokololo ya Khanselekhuduthamaga e e rwalang maikarabelo a pusoselegae; kgotsa
  - (d) Khomišene ya Bodiredipuso malebana le tirelo ya puso.

##### **5. Setlhogo se sekhutshwane le tshimololo**

Melawanataolo eno e bidiwa Melawanataolo ya Kantoro ya Maemo le Kobamelo, 2022, e bile e simolola go dira ka letlha la go phasalatswa ga yona mo Lokwalodikgannyeng la Puso.

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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA****NOTICE 1380 OF 2022****MR. M.G.E. HENDRICKS, MP****REGISTRATION OF MUSLIM MARRIAGES BILL****NOTICE OF INTENTION TO INTRODUCE THE REGISTRATION OF MUSLIM MARRIAGES BILL, 2022, A PRIVATE MEMBER'S BILL**

Mr. M.G.E. Hendricks, MP, acting in accordance with section 73(2) of the Constitution of the Republic of South Africa, 1996, published a notice of his intention to introduce the Interim Registration of Muslim Marriages Bill, 2021 in Parliament in Government Gazette No. 45275 on 8 October 2021 and published an explanatory summary of the Bill together with that notice of his intention in accordance with Rule 276(1)(c) of the Rules of the National Assembly (9<sup>th</sup> Edition).

Mr. M.G.E. Hendricks, MP hereby gives notice of his intention to change the name of the proposed Interim Registration of Muslim Marriages Bill, 2021, following the publication of that explanatory summary in Government Gazette No. 45275 on 8 October 2021 to the Registration of Muslim Marriages Bill, 2022. The Registration of Muslim Marriages Bill, 2022 will be introduced during the second half of 2022.

The draft Registration of Muslim Marriages Bill, 2022, seeks to provide for the following:

- (a) the recognition of a Muslim marriage as a valid and binding contract of marriage;
- (b) the requirements of a valid Muslim marriage, including solemnisation thereof;
- (c) the registration of Muslim marriages, as valid marriages for all purposes in the Republic of South Africa;
- (d) the proprietary consequences of a Muslim marriage;
- (e) equal status and legal capacity of spouses in a Muslim marriage;
- (f) acknowledging the application of other existing domestic legislation to Muslim marriages in specified circumstances;



- (g) interim processes and procedures to be determined by the relevant Minister by promulgating relevant regulations.

The Bill may, after introduction, be obtained from:

Al Jama -ah

5 Bolton Road, Rondevlei, Weltevreden Valley, Mitchells Plain, 7780

Attention: Mr Ganief Hendricks

Telephone: 061 373 7169

E-mail: [gsamodien@parliament.gov.za](mailto:gsamodien@parliament.gov.za)

**STATISTICS SOUTH AFRICA**

**NOTICE 1381 OF 2022**

**STATISTICS SOUTH AFRICA**

THE HEAD: STATISTICS SOUTH AFRICA notifies for general information that the Consumer Price Index is as follows:

Consumer Price Index, Rate (**Base Dec 2021=100**)

Rate: **September 2022 – 7.5**

## DEPARTMENT OF TRANSPORT

## NOTICE 1382 OF 2022

**AIR SERVICE LICENSING ACT, 1990 (ACT NO.115 OF 1990)  
APPLICATION FOR THE GRANT OR AMENDMENT OF DOMESTIC AIR  
SERVICE LICENCE**

Pursuant to the provisions of section 15 (1) (b) of Act No. 115 of 1990 and Regulation 8 of the Domestic Air Regulations, 1991, it is hereby notified for general information that the application detail of which appear in the appendix, will be considered by the Air Service Licensing Council. Representation in accordance with section 15 (3) of the Act No.115 of 1990 in support of, or in position, an application, should reach the Air Service Licensing Council, Private Box X 193, Pretoria, 0001, within 21 days of date of the publication thereof.

## APPENDIX I

(A) Full name and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class of licence applied for. (D) Type of air service to which application applies. (E) Category of aircraft to which application applies.

**(A) OFSC (Pty) Ltd. Oribi Flying Services Charter.** (B) Hangar 2, Pharazyn Way, Pietermaritzburg Airport, Pietermaritzburg, 3201. (C) Class II. (D) Type N1 & N2. (E) Category A3 & A4.

**(A) Phuhliso Drone Tech ( Pty) Ltd.** (B) 62 8<sup>th</sup> Ave, Alberton North, Alberton, 1449. (C) Class III. (D) Type G3, G4, G5 & G16 (RPAS). (E) Category H1 & A4.

**(A) Fullserve Services UAV (Pty) Ltd.** (B) 62 8<sup>th</sup> Ave, Alberton North, Alberton, 1449. (C) Class III. (D) Type G3, G4, G5 & G16 (RPAS). (E) Category A4 & H1

## APPENDIX II

(A) Full Name and trade name of the applicant. (B) Full business or residential address the applicant. (C) The Class and number of license in respect of which the amendment is sought (D) Type of air service and the amendment thereto which is being applied for (E) Category of aircraft and the amendment thereto which is being applied for. (F) Amendment referred to in section 14(2) (b) to I.

**(A) Swift Flite (Pty) Ltd. Swift Flite** (B) Hangar 29, Lanseria International Airport, Lanseria. (C) Class I & II; S1197D & N292D. (D) Type S1, S2, N1 & N4. (E) Category A1, A2, A3 & A4. (F) **Changes to the MP:** L. Naidoo replaces M.D. Clark as the Chief Executive Officer, C.W. Johnson replaces W.J. du Bruyn as the Responsible Person: Flight Operations, C.A. Ninneman replaces S.S. Selkon as the Air Services Safety Officer. **Change to Directors:** Current directors; D. James, N.H. Kropman & L. Naidoo.

**(A) Flyfofa Airways (Pty) Ltd.** (B) Hangar 03, Lindvelt Road, Wonderboom National Airport, Pretoria, 0182. (C) Class I & II. (D) Type S1, S2, N1 & N2. (E) Category A1, A2 & N3. (F) **Changes to Postholders.**

**(A) Gasa-Geotech Aviation South Africa (Pty) Ltd.** Gasa. (B) Hangar #1, Farm 412, Portion 67, Elandsfontein, Bapsfontein. (C) Class II & III; N1139D & G1045. (D) Type N1, N2, G3, G8 & G15. (E) Category A3, H1 & H2. (F) **Changes to the MP:** Mr. R.A. Wilson replaces Mr. G.W.P Siepman as the CEO, Mr. A.Z. Reeves replaces Mr. P. Bronkhorst as the RP: Aircraft. **Changes to the Directors:** Mr. T.J. Morrison and Ms. G. Braisier were appointed as directors. **Changes to Voting Rights:** Mr. R.A. (40%), Mr. T.J. Morrison (20%) and Ms G. Braisier (40%).

**(A) Sky Messaging (Pty) Ltd.** (B) Unit 92 Eden on Bay, 5 Beach Estate Boulevard, Big Bay, Cape Town, 7441. (C) Class III. (D) Type G2, G3, G8 & G14. (E) Category A4. (F) **Changes to Postholders.**

**(A) Liebenconsult (Pty) Ltd. Drone Analytix.** (B) Unit 9A, Bishop's Court, 8 Delamore Road, Hillcrest, KwaZulu Natal, 3610. (C) Class III;G1401D. (D) Type G3, G4 & G16 (RPAS). (E) Category H1. (F) **Change of Postholders:** Simon Muholland is appointed as the accountable manager, Byron Walters is appointed as the SMS and Simon Mulholland is appointed as the RP: A and RP:FO.

**(A) Sapphire Blue Drones.** (B) Hangar J One A, Nelspruit Airport, Nelspruit, 1200. (C) Class III; G1370D. (D) Type G5, G10, G16 (RPAS). (E) Category H1. (F) **Amendment to type of Air Service:** Adding G5 to ASL

**(A) Equilibrium Aviation (Pty) Ltd.** (B) Hangar 28 North, Springs Airfield, Springs, South Africa. (C) N1282D & G1283D (D) G2, G3, G4, G5, G8, G10 & N1 & N2. (E) H2. (F) **Notification of Change of Address.**

**(A) AIR 2000 (Pty) Ltd.** (B) 1<sup>st</sup> Floor, Terminal Building, Lanseria International Airport. (C) Class II & N151D. (D) Type N1 & N2. (E) Category A2, A3 & A4. (F) **Changes to directors/shareholding:** Mr J. Gaines-Burrill appointed as director and holds 75% voting rights/shares. **Changes to MP:** Mr. R. A Maier replaces Mr. H. J Brink as RP: Aircraft, Mr. V. R Gruneberg replace H.J Brink as Air Service Safety Officer.

**INTERNATIONAL AIR SERVICE ACT, (ACT NO.60 OF 1993)  
GRANT /AMENDMENT OF INTERNATIONAL AIR SERVICE LICENSE**

Pursuant to the provisions of section 17 (12) of Act No.60 of 1993 and Regulation 15 (1) and 15 (2) of the International Air Regulations,1994, it is hereby notified for general information that the applications, detail of which appear in the Schedules hereto, will be considered by the International Air Services Council (Council) representation in accordance with section 16(3) of the Act No. 60 of 1993 and regulation 25(1) of International Air Services Regulation, 1994, against or in favour of an application, should reach the Chairman of the International Air Services Council at Department of Transport, Private Bag X 193, Pretoria, 0001, within 28 days of the publication hereof. It must be stated whether the party or parties making such representation is / are prepared to be represent or represented at the possible hearing of the application.

**APPENDIX I**

(A) Full name, surname and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class of licence applied for. (D) Type of International Air Service to which application pertains. (E) Category or kind of aircraft to which application pertains. (F) Airport from and the airport to which flights will be undertaken. (G) Area to be served. (H) Frequency of flight.

**(A) Ultimate Airways (Pty) Ltd. Ultimate Air.** (B) Ultimate Heliport, Ultimate Road, Corner of Bridal Veil and R101 Waterfall Logistics Precinct, Gauteng. (C) Class III. (D) Type G3, G4 & G7. (E) Category A3 & A4. (F) Ultimate Heliport, 1 Ultimate Road, Waterfall Logistics Precinct, Gauteng or any other Airport/Airfield. (G) Worldwide.

**(A) OFSC (Pty) Ltd. Oribi Flying Services Charter.** (B) Hangar 2, Pharazyn Way, Pietermaritzburg Airport, Pietermaritzburg, 3201. (C) Class II. (D) Type N1 & N2. (E) Category A3 & A4. (F) Pietermaritzburg Airport. (G) Worldwide.

**APPENDIX II**

(A) Full name, surname and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class and number of license in which the amendment is made. (D) Type of International Air Service in respect of which the amendment was made. (E) Category or kind of aircraft to which license was made. (F) Airport in respect of which the amendment was made. (G) Area to be served. (H) Frequency of flight.

**(A) Swift Flite (Pty) Ltd. Swift Flite** (B) Hangar 29, Lanseria International Airport, Lanseria. (C) Class II; I/N034. (D) Type N1 & N4. (E) Category A1, A2, A3 & A4. (F)(G)(H) **Changes to the MP:** L. Naidoo replaces M.D. Clark as the Chief Executive Officer, C.W. Johnson replaces W.J. du Bruyn as the Responsible Person: Flight Operations, C.A. Ninneman replaces S.S. Selkon as the Air Services Safety Officer. **Change to Directors:** Current directors; D. James, N.H. Kropman & L. Naidoo.

**(A) Flyfofa Airways (Pty) Ltd.** (B) Hangar 03, Lintvelt Road, Wonderboom National Airport, Pretoria, 0182. (C) Class I & II. (D) Type S1, S2, N1 & N2. (E) Category A1, A2, A3 & A4. (F) (G)(H) **Changes to Postholders.**

**(A) Gasa-Geotech Aviation South Africa (Pty) Ltd. Gasa.** (B) Hangar #1, Farm 412, Portion 67, Elandsfontein, Bapsfontein. (C) Class II & III; I/N269 & I/G248. (D) Type N1, N2, G3, G8 & G15. (E) Category A3, H1 & H2. (F) Hangar #1, Farm 412, Portion 67, Elandsfontein, Bapsfontein or any other Airport/ Aerodrome. (G) Worldwide. (H) **Changes to the MP:** Mr. R.A. Wilson replaces Mr. G.W.P. Siepman as the CEO, Mr. A.Z. Reeves replaces Mr. P. Bronkhorst as the RP: Aircraft. **Changes to the Directors:** Mr. T.J. Morrison and Ms. G. Braisier were appointed as directors. **Changes to Voting Rights:** Mr. R.A. (40%), Mr. T.J. Morrison (20%) and Ms G. Braiser (40%).

## DEPARTMENT OF TRANSPORT

## NOTICE 1383 OF 2022

**INTERNATIONAL AIR SERVICE ACT, (ACT NO.60 OF 1993)  
GRANT /AMENDMENT OF INTERNATIONAL AIR SERVICE LICENSE**

Pursuant to the provisions of section 17 (12) of Act No.60 of 1993 and Regulation 15 (1) and 15 (2) of the International Air Regulations,1994, it is hereby notified for general information that the applications, detail of which appear in the Schedules hereto, will be considered by the International Air Services Council (Council) representation in accordance with section 16(3) of the Act No. 60 of 1993 and regulation 25(1) of International Air Services Regulation, 1994, against or in favour of an application, should reach the Chairman of the International Air Services Council at Department of Transport, Private Bag X 193, Pretoria, 0001, within 28 days of the publication hereof. It must be stated whether the party or parties making such representation is / are prepared to be represent or represented at the possible hearing of the application.

**APPENDIX I**

(A) Full name, surname and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class of licence applied for. (D) Type of International Air Service to which application pertains. (E) Category or kind of aircraft to which application pertains. (F) Airport from and the airport to which flights will be undertaken. (G) Area to be served. (H) Frequency of flight.

**(A) Ultimate Airways (Pty) Ltd. Ultimate Air.** (B) Ultimate Heliport, Ultimate Road, Corner of Bridal Veil and R101 Waterfall Logistics Precinct, Gauteng. (C) Class III. (D) Type G3, G4 & G7. (E) Category A3 & A4. (F) Ultimate Heliport, 1 Ultimate Road, Waterfall Logistics Precinct, Gauteng or any other Airport/Airfield. (G) Worldwide.

**(A) OFSC (Pty) Ltd. Oribi Flying Services Charter.** (B) Hangar 2, Pharazyn Way, Pietermaritzburg Airport, Pietermaritzburg, 3201. (C) Class II. (D) Type N1 & N2. (E) Category A3 & A4. (F) Pietermaritzburg Airport. (G) Worldwide.

**APPENDIX II**

(A) Full name, surname and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class and number of license in which the amendment is made. (D) Type of International Air Service in respect of which the amendment was made. (E) Category or kind of aircraft to which license was made. (F) Airport in respect of which the amendment was made. (G) Area to be served. (H) Frequency of flight.

**(A) Swift Flite (Pty) Ltd. Swift Flite** (B) Hangar 29, Lanseria International Airport, Lanseria. (C) Class II; I/N034. (D) Type N1 & N4. (E) Category A1, A2, A3 & A4. (F)(G)(H) **Changes to the MP:** L. Naidoo replaces M.D. Clark as the Chief Executive Officer, C.W. Johnson replaces W.J. du Bruyn as the Responsible Person: Flight Operations, C.A. Ninneman replaces S.S. Selkon as the Air Services Safety Officer. **Change to Directors:** Current directors; D. James, N.H. Kropman & L. Naidoo.

**(A) Flyfofa Airways (Pty) Ltd.** (B) Hangar 03, Lintvelt Road, Wonderboom National Airport, Pretoria, 0182. (C) Class I & II. (D) Type S1, S2, N1 & N2. (E) Category A1, A2, A3 & A4. (F) (G)(H) **Changes to Postholders.**

**(A) Gasa-Geotech Aviation South Africa (Pty) Ltd. Gasa.** (B) Hangar #1, Farm 412, Portion 67, Elandsfontein, Bapsfontein. (C) Class II & III; I/N269 & I/G248. (D) Type N1, N2, G3, G8 & G15. (E) Category A3, H1 & H2. (F) Hangar #1, Farm 412, Portion 67, Elandsfontein, Bapsfontein or any other Airport/ Aerodrome. (G) Worldwide. (H) **Changes to the MP:** Mr. R.A. Wilson replaces Mr. G.W.P Siepman as the CEO, Mr. A.Z. Reeves replaces Mr. P. Bronkhorst as the RP: Aircraft. **Changes to the Directors:** Mr. T.J. Morrison and Ms. G. Braisier were appointed as directors. **Changes to Voting Rights:** Mr. R.A. (40%), Mr. T.J. Morrison (20%) and Ms G. Braiser (40%).

**DEPARTMENT OF TRANSPORT**

**NOTICE 1384 OF 2022**

**MERCHANT SHIPPING ACT, 1951 (ACT NO. 57 OF 1951)**

**AMENDMENTS TO REGULATIONS RELATING TO MERCHANT SHIPPING (COLLISION  
AND DISTRESS SIGNALS), 2022.**

The Minister of Transport has, under section 356(2) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), made Regulations set out in the Schedule.



**MR F.A. MBALULA, MP**

**MINISTER OF TRANSPORT**

DATE: 2022/04/12

## SCHEDULE

### GENERAL EXPLANATORY NOTE:

[            ] Words in bold typed in square brackets indicate omissions/deletions from existing regulations.

\_\_\_\_\_ Words underlined with a solid line indicate insertions in existing regulations.

### Definitions

1. In these Regulations-

**“the Annex”** means the Annex to the Merchant Shipping (Collision and Distress Signals) Regulations, 2005, published by Government Notice No. R. 566 of 17 June 2005;

**“the Regulations”** means the Merchant Shipping (Collision and Distress Signals) Regulations, 2005, published by Government Notice No. R. 566 of 17 June 2005.

### Amendment of *Note to the Annex*

2. The Annex is hereby amended by the substitution for the Note of the following Note:

“This text incorporates the original text as amended by the following amendments adopted by the indicated IMO Assembly resolutions: 1981 amendments (A.464(XII)), in force 1 June 1983; 1987 amendments (A.626(15)), in force 19 November 1989; 1989 amendments (A.678(16)), in force 19 April 1991; 1993 amendments (A.736(18)), in force 4 November 1995; 2001 amendments (A.910(22)), in force 29 November 2003, 2007 amendments(A.1004(25)), in force 01 December 2009; 2013 amendments (A.1085(28)) in force 01 January 2016.”



**Addition of Part F, Rules 39, 40 and 41 to the Annex**

3. The Annex is hereby amended by the addition of the following Rules after Part E of the Annex:

**“PART F****VERIFICATION OF COMPLIANCE WITH THE PROVISIONS OF THE CONVENTION****Rule 39****Definitions**

“In this Part, unless the context otherwise indicates-

‘Audit’ means a systematic, independent and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which audit criteria are fulfilled;

‘Audit Scheme’ means the IMO Member State Audit Scheme established by the Organization and taking into account the guidelines developed by the Organization [\*];

[\* Refer to the Framework and Procedures for the IMO Member State Audit Scheme, adopted by the Organization by resolution A.1067(28).]

‘Audit Standard’ means the Code for Implementation;

‘Code for Implementation’ means the IMO Instruments Implementation Code (III Code) adopted by the Organization by resolution A.1070(28).”

**Rule 40****Application**

Contracting Parties shall use the provisions of the Code for Implementation in the execution of their obligations and responsibilities contained in the present Convention.

## **Rule 41**

### **Verification of compliance**

- (a) Every Contracting Party shall be subjected to periodic audits by the Organization in accordance with the audit standard to verify compliance with and implementation of the present Convention.
- (b) The Secretary-General of the Organization shall have the responsibility for administering the Audit Scheme, based on the guidelines developed by the Organization [\*].
- (c) Every Contracting Party shall have the responsibility for facilitating the conduct of the audit and implementation of a programme of actions to address the findings, based on the guidelines developed by the Organization [\*].
- (d) The Audit of all Contracting Parties shall be-
- (i) based on an overall schedule developed by the Secretary-General of the Organization, taking into account the guidelines developed by the Organization[\*]; and
  - (ii) conducted at periodic intervals, taking into account the guidelines developed by the Organization[\*].”

**[\* Refer to the Framework and Procedures for the IMO Member State Audit Scheme, adopted by the Organization by resolution A.1067(28).]**

### **Amendment of Annex IV (Distress Signals) to the Annex**

4. Annex IV (Distress Signals) to the Annex is hereby amended –

- (a) by the substitution for paragraph (l) of section 1 of the following paragraph:

“a distress alert by means of digital selective calling (DSC) transmitted on:

- (i) VHF channel 70; or
- (ii) MF/HF on the frequencies 2187.5 kHz, 8414.5 kHz, 4207.5 kHz, 6312 kHz, 12577 kHz or 16804.5 kHz”.

(b) by the substitution for paragraph (m) of section 1 of the following paragraph:

“ship-to-shore distress alert transmitted by the ship’s Inmarsat or other mobile satellite service located on board ship”.

**Short title**

**5. These Regulations are called Regulations Relating to Merchant Shipping (Collision and Distress Signals) Amendment Regulations, 2022.**

**UMNYANGO WEZOKUTHUTHA****Inombolo. R.****2022****Umthetho wokuthuthwa kwempahla, wango 1951****Ukuchibiyelwa kwalomthetho omayelana nokuthuthwa kwempahla (okwimpawu zokungqubuzana kanye nokucindazeleka) 2022.**

UNgqongqoshe Wezokuthutha, ngaphansi kwesigaba 356(2) soMthetho Wokuthuthwa Kwemikhumbi, 1951 (uMthetho No. 57 ka-1951), wenza iMithethonqubo ebekwe oHlelweni.

**UMNU FA MBALULA, MP****UNGQONGQOSHE WEZOKUTHUTHA****DATE: 2022/04/15**

## UHLELO

### INCAZELO EJWAYELEKILE:

[ ] Amagama abhalwe ngokugqamile d kubakaki abayisikwele abonisa okushiye/ukususwa emithethweni ekhona.

\_\_\_\_\_ Amagama adwetshelwe ngomugqa oqinile akhombisa okufakiwe emithethweni ekhona.

### Izincazelo

#### 1. Kule Mithetho-

**"iSijobelelo"** sichaza iSijobelelo seMithethonqubo yeMithethonqubo Yemikhumbi Yokuthengisa ( Ukushayisana Nezimpawu Zokucindezeleka ), 2005, eshicilelwe ngeSaziso sikhulumeni No. R. 566 somhla ziyi-17 kuJuni 2005;

**"iMithetho"** ichaza iMithethonqubo Yokuhamba Ngemikhumbi ( Ukushayisana Nezimpawu Zokucindezeleka ), 2005, eshicilelwe yiSaziso sikhulumeni No. R. 566 somhla ziyi-17 kuNhlangulana wezi-2005.

### Ukuchitshiyelwa *Kwenothi* Lesengezo

#### 2. Ngakho-ke Isithasiselo siyachitshiyelwa ngokufaka Inothi Lenothi elilandelayo:

"Lo mbhalo uhlanganisa umbhalo wasekuqaleni njengoba uchitshiyelwe yizichibiyelo ezilandelayo ezamukelwe izinqumo ezikhonjisiwe zeSishayamthetho se-IMO: izichibiyelo zika-1981 (A.464(XII)), ezisebenza mhla lu-1 kuNhlangulana 1983; 1987 izichibiyelo (A.626(15)), ezisebenza mhla ziyi-19 kuLwezi 1989; 1989 izichibiyelo (A.678(16)), ezisebenza 19 kumbasa 1991; 1993 izichibiyelo (A.736(18)), ezisebenza 4 kuLwezi 1995; 2001 izichibiyelo (A.910(22)), ukusebenza 29 kuLwezi 2003,

izichibiyelo zango-2007(A.1004(25)), ezisebenza mhla lu-1 kuZibandlela wezi-2009; izichibiyelo zika-2013 (A.1085(28)) zisebenza mhla lu-1 kuMasingana 2016.”

**Ukwengezwa kweNgxenye F, Imithetho 39, 40 kanye no-41 kuSijobelelo**

3. Ngakho- ke iSithasiselo siyachitshiyelwa ngokwengeza le Mithetho elandelayo ngemva kweNgxenye E Yesijobelelo:

**“INGXENYE F**

**UKUQINISEKISWA KOKUTHOBELANA NEZINHLELO ZOMHLANGANO**

**Umthetho 39**

**Izincazelo**

“Kule Ngxenye, ngaphandle uma umongo ubonisa okuhlukile”-

‘Ukucwaniqwa kwamabhuku’ kusho inqubo ehlelekile, ezimele kanye nebhalwe phansi ukuze kutholwe ubufakazi bocwaniqomabhuku kanye nokubucubungula ngendlela efanele ukuze kutholwe izinga okufezwa ngalo imibandela yokucwaniqwa kwamabhuku;

‘Uhlelo Lokucwaniqwa Kwamabhuku’ kushiwo uHlelo Lokucwaniqwa Kwamabhuku Lwezifundazwe ezingamaLungu e-IMO olusungulwe yiNhlangotho futhi lubheka imihlahlandlela ethuthukiswe yiNhlangotho [\*] ;

[\* Bheka Uhlaka kanye Nezingqubo Zohlelo Lokucwaniqwa Kwamabhuku Lwezifunda Selungu Le-IMO, olwamukelwe Inhlangotho ngesinqumo A.1067(28) .]

‘Izinga Lokucwaniqwa Amabhuku’ lisho Ikhodi Yokusetshenziswa;

‘Ikhodi Yokuqalisa’ isho Ikhodi Yokuqaliswa Kwezinsimbi ze-IMO (Ikhodi III) eyamukelwe yiNhlangotho ngesinqumo A.1070(28) . .

**Umthetho 40****Isicelo**

Amaqembu Enkontileka azosebenzisa izinhlinzeko zeKhodi Yokusetshenziswa ekwenzeni izibopho zawo kanye nezibopho eziqokethwe kuSivumelwano samanje .

**Umthetho 41****Ukuqinisekisa ukuhambisana**

- (a) Wonke Umuntu Osenkontilekeni uyohlolwa ngezikhathi ezithile yiNhlango ngokuhambisana nezinga lokucwaninga ukuze kuqinisekise ukuthotshelwa kanye nokuqaliswa kweNgqungquthela yamanje.
- (b) UNobhala-Jikelele Wenhlango uyoba nesibopho sokuphatha iSikimu Sokucwaningwa Kwamabhuku, ngokusekelwe eziqondisweni ezithuthukiswe yiNhlango [\*]
- (c) Wonke Umuntu Okwenkontileka uzoba nesibopho sokusiza ukuqutshwa kocwaningomabhuku kanye nokusetshenziswa kohlelo lwezenzo zokubhekana nokutholiwe, ngokusekelwe kumhlahlandlela othuthukiswe yiNhlango [\*].
- (d) Ukucwaningwa kwamabhuku awo wonke amaQembu Ezinkontileka kuzoba-
- (i) ngokusekelwe ohlelweni lunonke olwakiwe uNobhala-Jikelele Wenhlango, ecabangela iziqondiso ezakhiwe yiNhlango [\*]; futhi
  - (ii) okwenziwa ngezikhathi ezithile, kucatshangelwa iziqondiso ezakhiwe yiNhlango [\*]."

**[\* Bheka Uhlaka kanye Nezinqubo Zohlelo Lokucwaningwa Kwamabhuku Lwesifunda Selungu Le-IMO, olwamukelwe Inhlango ngesinqumo A.1067(28).]**

**Ukuchitshiyelwa Kwesijobelelo IV (Izimpawu Zokucindezeleka) kuSijobelelo**

4. Isijobelelo IV (Izimpawu Zokucindezeleka) kuSijobelelo sithi waphinde wachibiyela -

(a) ngokufaka esikhundleni isigaba (l) sesigaba 1 sale ndima elandelayo:

" Isexwayiso sokucindezeleka ngokusebenzisa i-digital selective call (DSC)

esakazwa ku- :

(i) Isiteshi se-VHF 70; noma

(ii) I-MF/HF kumafrikhwensi 2187.5 kHz, 8414.5 kHz, 4207.5 kHz, 6312 kHz, 12577 kHz noma 16804.5 kHz".

(b) ngokufaka esikhundleni sendima (m) yesigaba 1 sale ndima elandelayo:

' isixwayiso senhlekelele yomkhumbi uye ogwini esisakazwa i-Inmarsat yomkhumbi

noma enye insizakalo yesathelayithi ephathwayo etholakala emkhuniini' ' ;.

**Isihloko esifushane**

5. Le Mithetho ibizwa ngokuthi Imithetho Ehlobene Nokuthumela Kwabathengisi

(Izimpawu Zokushayisana Nokucindezeleka) Izichibiyelo Zomthetho, 2022.



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